

REMARKS

A. Status of the Application

- Claims 37-40, 50, 63-69 and 76-99 are pending in the application, of which claims 37, 76 and 88 are independent claims.
- Claims 37-40, 50 and 63-69 are amended.
- Claims 1-4, 6, 8-10, 17, 19, 24, 29, 30, 42-46, 49, 70-75 are cancelled.
- Claims 76-99 are new claims. No new matter has been added.

Accordingly, entry of the amendments and new claims is respectfully requested. Applicants have amended the claims to recite particular embodiments that Applicants, in their business judgment, have determined to be commercially desirable at this time. The claim amendments have not been submitted for any reasons relating to patentability.

Applicants intend to pursue the subject matter of the previously cancelled claims, in one or more continuing applications.

B. Claim Rejections Under 35 U.S.C. § 101

On page 2, the Office Action rejected claims 1-4, 6, 8-10, 17, 19, 24, 29, 30, 37-40, 42-46, 49, 50 and 63-75 under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. The rejections under 35 U.S.C. 101 are moot in light of the claim amendments.

C. Claim Rejection Under 35 U.S.C. § 102

On page 3, the Office Action rejected claims 1-4, 6, 8-10, 17, 19, 24, 29, 30, 37-40, 42-46, 49, 50 and 63-75 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,115,698 (“Tuck”). The Office Action fails to make a *prima facie* showing of anticipation in any of the claims. The rejections under 35 U.S.C. 102 are moot in light of the claim amendments.

Specifically, independent claims 37, 76 and 88 recite, *inter alia*,

...generating a second interface in response to the selection of the variable, in which the second interface comprises ... a button for submitting the trading command; automatically repositioning a cursor in the second interface to be positioned over the button for submitting the trading command... (emphasis added)

Nowhere do the cited portions of Tuck teach “*automatically repositioning a cursor*,” much less repositioning a cursor to be “*positioned over the button for submitting the trading command*,” as recited by the independent claims 37, 76 and 88.

Therefore, the Examiner has failed to show that Tuck teaches every limitation of the claims, and as such, the Examiner has failed to establish a *prima facie* case of anticipation for any of the claims. Claims 37, 76 and 88 (and the claims that depend therefrom) are allowable for at least this reason.

D. Claim Rejections Under 35 U.S.C. § 103

On page 6, the Office Action rejected claims 37, 38, 40, 42-45 and 47-50 under 35 U.S.C. § 103(a) as being unpatentable over Tuck in view of U.S. Patent No. 7,171,386 (“Raykhman”). The Office Action fails to make a *prima facie* case of obviousness in any

of the claims. The rejections under 35 U.S.C. 103 are moot in light of the claim amendments.

As discussed above under subsection B, independent claims 37, 76 and 88 recite, *inter alia*, “automatically repositioning a cursor in the second interface to be positioned over the button for submitting the trading command”(emphasis added).

Neither Tuck or Raykhman disclose or suggest “*automatically repositioning a cursor*,” much less repositioning a cursor to be “*positioned over the button for submitting the trading command*,” as recited by the independent claims 37, 76 and 88.

Therefore, the Examiner has failed to show that the prior art references teach every limitation, and as such, the Examiner has failed to establish a *prima facie* case of obviousness on for any of the claims. Claims 37, 76 and 88 (and the claims that depend therefrom) are allowable for at least this reason.

E. General Comments on Dependent Claims

Each dependent claim is patentable for at least the same reasons as the independent claim on which it depends. Thus, Applicants believe that it is unnecessary at this time to argue the allowability of each dependent claim individually. However, Applicants do not necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor do Applicants concur that the basis for the rejection of any of the dependent claims is proper. Therefore, Applicants reserve the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

F. Authorization for Email Communication

Recognizing that Internet communications are not secure, Applicants hereby authorize the USPTO to communicate with any authorized representative concerning any

subject matter of this application by electronic mail. Applicants understand that a copy of these communications will be made of record in the application file.

G. Conclusion

In general, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as a concession of any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All communications should be directed to the undersigned at her direct line (857) 413-2056 or e-mail address: rma@cantor.com.

Respectfully submitted,

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